

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

MATTHEW T. SHAFER, SHERI HAUGABOOK, PETER HEIDT, JEFFREY SHOVER, MACE TAMSE, GEORGE LIVANOS, MARK LOFTUS, JEFFREY SAMSEN, JEFFREY SHERESKY, STEVE SHERESKY, STEVE NADLER, and SANDY JUKEL, on behalf of themselves and all others similarly situated,

Plaintiffs,

-against-

MORGAN STANLEY, MORGAN STANLEY SMITH BARNEY LLC, MORGAN STANLEY COMPENSATION MANAGEMENT DEVELOPMENT AND SUCCESSION COMMITTEE, and John/Jane Does 1-20,

Defendants.

Civil Action No. 1:20-cv-11047-PGG

Hon. Paul G. Gardephe

**MORGAN STANLEY'S NOTICE OF APPEAL**

Notice is hereby given that Defendants Morgan Stanley, Morgan Stanley Smith Barney LLC, and Morgan Stanley Compensation Management Development and Succession Committee (together, “Morgan Stanley”) appeal to the United States Court of Appeals for the Second Circuit from this Court’s November 21, 2023 Order respecting Morgan Stanley’s motion to compel arbitration (ECF No. 86), November 5, 2024 Order denying Morgan Stanley’s motion for reconsideration and/or clarification (ECF No. 99), and any other orders incorporated therein.

Respectfully submitted,

Dated: November 29, 2024

O'MELVENY & MYERS LLP

By: /s/ Meaghan VerGow

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Morgan Stanley Smith Barney LLC, and  
Morgan Stanley Compensation  
Management Development and  
Succession Committee*